

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Landes *et al.*

SERIAL NUMBER: 10/805,177

EXAMINER: Meera Natarajan

FILING DATE: March 19, 2004

ART UNIT: 1643

FOR: ANTIBODIES AGAINST T-CELL IMMUNOGLOBULIN DOMAIN AND MUCIN DOMAIN
(TIM-1) ANTIGEN AND USES THEREOFCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450July 7, 2009
Boston, Massachusetts

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed August 20, 2007, Applicants elect Group I, claims 1-12 and 23-33 in part, drawn to an isolated human antibody, or binding fragment thereof, that specifically binds to T cell, immunoglobulin domain and mucin domain 1 (TIM-1), a hybridoma cell line producing that antibody, and a kit comprising that antibody. With regard to the species election, Applicants elect, for initial prosecution on the merits, the species where the antibody is conjugated to a toxin. Applicants request that upon allowance of a generic claim, the Examiner consider all additional species which depend from or otherwise require all of the limitations of the allowable generic claim. Elected claims 1-8, 11, 12 and 23-33 read on the elected species.

Applicants submit this response in conjunction with a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), along with the necessary fee under 37 CFR 1.17(m). Applicants also submit herewith a Petition for a Five-Month Extension of Time, along with the appropriate fee. Accordingly, Applicants believe no additional fees are due in connection with this filing. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-665 (Cura 965).

Respectfully submitted,



Ivor R. El trif, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No.: 55111